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Attorneys for Plaintiff and Judgment Creditor
DONALD THORN

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION

In re: Case No.: 13-10923-AJ-7

Javier Augusto and Heidi Erica Alvarez A.P. No.: 13-01103

Debtors./

Donald Thorn

**PLAINTIFF DONALD THORN'S
EVIDENCE RE SUMMARY
JUDGMENT MOTION**

Plaintiff,

Date: April 4, 2014

Time: 9:00 a.m.

v.

**Place: 99 South E Street
Santa Rosa, California**

Javier Augusto and Heidi Erica Alvarez

A.P. Filed: August 6, 2013

Trial Date: September 17, 2014

Defendants./

Judge: Alan Jaroslovsky

Plaintiff Donald Thorn submits the following evidence in support of his summary judgment motion:

Exhibit "1": Judgment entered on June 22, 2012 (Exhibit "1" to the accompanying Declaration of Edward McCutchan).

Exhibit "2": Amended Judgment entered on October 10, 2012.

Exhibit "3": Adversary Complaint filed on August 5, 2012 (per Judicial Notice in the Bankruptcy Court's file).


1 Exhibit "4": Alvarez defendants' Answer to the Complaint served on September 9,
2 2012 (per Judicial Notice in the Bankruptcy Court's file).

3 Exhibit "5": July 9, 2012 endorsed-filed Notice of Motion and Motion for Award of
4 Attorney's Fees under Civil Code § 3426.4 in Sonoma County Superior Court case number
5 SCV-246852 against the Alvarez defendants (Exhibit "3" to the accompanying Declaration of
6 Edward McCutchan).
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8 Exhibit "6": July 9, 2012 endorsed-filed Memorandum of Points and Authorities in
9 Support of Donald Thorn's Motion for Award of Attorney's Fees under Civil Code § 3426.4 in
10 Sonoma County Superior Court case number SCV-246852 against the Alvarez defendants
11 (Exhibit "4" to the accompanying Declaration of Edward McCutchan).
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13 Date: February 14, 2014

SUNDERLAND | McCUTCHAN, LLP

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16 Edward McCutchan
17 Attorneys for Plaintiff and Judgment Creditor
18 DONALD THORN
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF SONOMA

I am employed in the County of Sonoma, State of California. I am over the age of 18 and not a party to the within action; my present address is: 412 Aviation Boulevard, Suite D, Santa Rosa, California 95403.

On February 14, 2014, I served the foregoing document described as **PLAINTIFF DONALD THORN'S EVIDENCE RE SUMMARY JUDGMENT MOTION** on the parties by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

XX By Regular U.S. Mail. The documents were placed for collection and mailing following ordinary business practice for deposit in the United States Postal Service in a sealed envelope with postage thereon fully prepaid, addressed as stated above.

___ By personal service. I caused each such envelope to be delivered by hand to the addressee(s) as stated above.

___ By facsimile transmitted from (707) 284-5527. The document transmission was reported as complete and without error.

___ By email or electronic transmission. I caused the document to be sent to the persons at the email addresses listed below. I did not receive within a reasonable time after the transmission any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on February 14, 2014, at Santa Rosa, California.


Kathleen M. Dahl

1 In re: Javier Agustó Alvarez, Heidi Erica Alvarez
2 United States Bankruptcy Court Case No.: 13-10923-AJ-7

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4 Attorneys for Defendants/Debtors: Javier Augusto Alvarez and Heidi Erica Alvarez

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